

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:16-CV-404-D

ANTONIA-DEWANYE LEMON,)
)
 Plaintiff,)
)
 v.)
)
PATRICIA HOLLOMAN,)
COLUMBIA FIDUCIARY HUB,)
and HENRY MACRI,)
)
 Defendants.)

ORDER


On June 12, 2017, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) [D.E. 10]. In that M&R, Judge Numbers recommended that plaintiff’s application to proceed in forma pauperis [D.E. 6] be granted and that the complaint [D.E. 1-1] be filed. On June 16, 2017, plaintiff filed a “notice of dismissal motion for relief from judgment” [D.E. 11].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record.

The court ADOPTS the conclusions in the M&R [D.E. 10]. Plaintiff's application to proceed in forma pauperis [D.E. 6] is GRANTED, and the complaint [D.E. 1-1] is deemed to be filed. Lemon's notice of dismissal [D.E. 11] is GRANTED. See Fed. R. Civ. P. 41(a)(1)(A)(i). The clerk shall close the case.

SO ORDERED. This 17 day of July 2017.


JAMES C. DEVER III
Chief United States District Judge